Case 21-13085-ABA Doc 100 Filed 12/06/21 Entered 12/06/21 18:31:16 Desc Main Document Page 1 of 15 Case 21-13085-ABA Doc 94 Filed 11/22/21 Entered 11/22/21 14:05:03 Desc Main

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VIA EMAIL

November 18, 2021

Darrell Choates dchoatesgc@yahoo.com

Re:

Choates G. Contracting, LLC Case No. 21-13085-ABA

Subchapter V

Dear Mr. Choates:

The accompanying U.S. Trustee Report for the month of October 2021 was assembled for your analysis of the post-petition transactions of the Debtor under Chapter 11 of the Bankruptcy Code.

This operating report was not examined or reviewed by independent accountants in accordance with the standards promulgated by the American Institute of Certified Public Accountants and is presented in accordance with the requirements of the Office of the United States Trustee, which differ from generally accepted accounting principles. Accordingly, this report is for the sole use of the parties in interest in this Chapter 11 matter and should not be provided to other parties.

Please review, sign and date the report and send to Counsel to be filed with the Bankruptcy Court. Should you have any questions, please do not hesitate to call.

Very truly yours,

BEDERSON LLP

Charles N. Persing

Partner

CNP:mmp

Enc.

cc: Daniel Reinganum (danielr@mcdowelllegal.com)

InChantes G. Contracting, LLC/Correspondence/Outgoing/2021.11.15 MOR October 2021.doc

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## CHOATES GENERAL CONTRACTING, LLC CHAPTER 11 – SUBCHAPTER V

CASE NO: 21-13085 (ABA)

# ADDENDUM TO MONTHLY OPERATING REPORT FOR THE MONTH ENDED OCTOBER 31, 2021

We are the Court Appointed Accountants for the Trustee of Choates General Contracting, LLC which filed a Chapter 11 bankruptcy on April 15, 2021.

Due to the bankruptcy, certain financial statements, records and supporting documentation that would normally be present are missing and/or unavailable. The Debtor is in the process of retaining a book keeper to assist in the preparation of the financial statements and other records. This monthly operating report was prepared from the best information available; that is, the Debtor's bank activity. However, due to the lack of certain accounting records at this time, we are unable to attach financial statements (balance sheet, income statement, etc.)

BEDERSON LLP NOVEMBER 2021 Case 21-13085-ABA Doc 100 Filed 12/06/21 Entered 12/06/21 18:31:16 Desc Main Document

Page 3 of 15 Case 21-13085-ABA Doc 94 Filed 11/22/21 Entered 11/22/21 14:05:03 Desc Main Fill in this information to identify the case: Debtor Name Choates G. Contracting, LLC V United States Bankruptcy Court for the: District of New Jersey Case number: 21-13085-ABA Check if this is an

#### Official Form 425C

#### Monthly Operating Report for Small Business Under Chapter 11 12/17 October 2021 Month: 11/15/2021 Date report filed: MM / DD / YYYY Line of business: Construction NAISC code: In accordance with title 28, section 1746, of the United States Code, I declare under penalty of perjury that I have examined the following small business monthly operating report and the accompanying attachments and, to the best of my knowledge, these documents are true, correct, and complete. Darrell Choates, Sr. Responsible party: Original signature of responsible party

Darrell Choates, Sr.

Printed name of responsible party

#### 1. Questionnaire

Answer all questions on behalf of the debtor for the period covered by this report, unless otherwise indicated. Yes No N/A If you answer No to any of the questions in lines 1-9, attach an explanation and label it Exhibit A. Ø 1. Did the business operate during the entire reporting period? Ø 2. Do you plan to continue to operate the business next month? V 3. Have you paid all of your bills on time? 4. Did you pay your employees on time? W Ø 5. Have you deposited all the receipts for your business into debtor in possession (DIP) accounts? M Have you timely filed your tax returns and paid all of your taxes? M 7. Have you timely filed all other required government filings? Ø Are you current on your quarterly fee payments to the U.S. Trustee or Bankruptcy Administrator? M 9. Have you timely paid all of your insurance premiums? If you answer Yes to any of the questions in lines 10-18, attach an explanation and label it Exhibit B. Ø 10. Do you have any bank accounts open other than the DIP accounts? M 11. Have you sold any assets other than inventory? 12. Have you sold or transferred any assets or provided services to anyone related to the DIP in any way? V 13. Did any insurance company cancel your policy? Ø Ø 14. Did you have any unusual or significant unanticipated expenses? M 15. Have you borrowed money from anyone or has anyone made any payments on your behalf? M 16. Has anyone made an investment in your business?

amended filing

Page 4 of 15 Document Case 21-13085-ABA Doc 94 Entered 11/22/21 14:05:03 Filed 11/22/21 Document Page 4 of 15 Debtor Name Choates G. Contracting, LLC Case number 21-13085-ABA 17. Have you paid any bills you owed before you filed bankruptcy? V 18. Have you allowed any checks to clear the bank that were issued before you filed bankruptcy? M 2. Summary of Cash Activity for All Accounts 19. Total opening balance of all accounts 332.66 This amount must equal what you reported as the cash on hand at the end of the month in the previous month. If this is your first report, report the total cash on hand as of the date of the filing of this case. 20. Total cash receipts Attach a listing of all cash received for the month and label it Exhibit C. Include all cash received even if you have not deposited it at the bank, collections on receivables, credit card deposits, cash received from other parties, or loans, gifts, or payments made by other parties on your behalf. Do not attach bank statements in lieu of Exhibit C. 400.00 Report the total from Exhibit C here. 21. Total cash disbursements Attach a listing of all payments you made in the month and label it Exhibit D. List the date paid, payee, purpose, and amount. Include all cash payments, debit card transactions, checks issued even if they have not cleared the bank, outstanding checks issued before the bankruptcy was filed that were allowed to clear this month. and payments made by other parties on your behalf. Do not attach bank statements in lieu of Exhibit D. 700.33 Report the total from Exhibit D here. 22. Net cash flow -300.33 Subtract line 21 from line 20 and report the result here. This amount may be different from what you may have calculated as net profit. 23. Cash on hand at the end of the month Add line 22 + line 19. Report the result here. 32.33 \$ Report this figure as the cash on hand at the beginning of the month on your next operating report. This amount may not match your bank account balance because you may have outstanding checks that have not cleared the bank or deposits in transit. 3. Unpaid Bills Attach a list of all debts (including taxes) which you have incurred since the date you filed bankruptcy but have not paid. Label it Exhibit E. Include the date the debt was incurred, who is owed the money, the purpose of the debt, and when the debt is due. Report the total from Exhibit E here. 0.00 24. Total payables (Exhibit E)

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Case 21-13085-ABA

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Debtor Name	Choates	G.	Contracting,	L	C

Case number 21-13085-ABA

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20,420		
\$3233		833.4
2.75	2000	
\$3335		Section 1
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62/153		

#### 4. Money Owed to You

Attach a list of all amounts owed to you by your customers for work you have done or merchandise you have sold. Include amounts owed to you both before, and after you filed bankruptcy. Label it *Exhibit F*. Identify who owes you money, how much is owed, and when payment is due. Report the total from *Exhibit F* here.

25. Total receivables

*E*)

(Exhibit F)

	5. Employees	
2	26. What was the number of employees when the case was filed?	1
2	27. What is the number of employees as of the date of this monthly report?	1

6. Professional Fees	
28. How much have you paid this month in professional fees related to this bankruptcy case?	s <u>0.00</u>
29. How much have you paid in professional fees related to this bankruptcy case since the case was f	filed? \$ 5,000.00
30. How much have you paid this month in other professional fees?	s0.00
31. How much have you paid in total other professional fees since filing the case?	s0.00

### 7. Projections

Compare your actual cash receipts and disbursements to what you projected in the previous month. Projected figures in the first month should match those provided at the initial debtor interview, if any.

	Column A		Column B	-	Column C
	Projected		Actual	-	Difference
	Copy lines 35-37 from the previous month's report.		Copy lines 20-22 of this report.		Subtract Column B from Column A.
32. Cash receipts	s 280,230.00	*****	s400.00	***	s 279,830.00
33. Cash disbursements	\$ <u>240,216.00</u>		\$700.33	=	s 239,515.67
34. Net cash flow	\$ 40,014.00	*****	s300.33		s 40,314.33

35. Total projected cash receipts for the next month:

\$ 126,447.00

0.00

36. Total projected cash disbursements for the next month:

- s 104,925.00

37. Total projected net cash flow for the next month:

= \$ 21,522.00

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Debtor Name Choates G. Contracting, LLC

Case number 21-13085-ABA



#### 8. Additional Information

If available, check the box to the left and attach copies of the following documents.

- 38. Bank statements for each open account (redact all but the last 4 digits of account numbers).
- 39. Bank reconciliation reports for each account.
- 40. Financial reports such as an income statement (profit & loss) and/or balance sheet.
- 41. Budget, projection, or forecast reports.
- 42. Project, job costing, or work-in-progress reports.

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#### **EXHIBIT B**

#### TO OCTOBER 2021 MONTHLY OPERATING REPORT

#### **EXPLANATION TO QUESTION NUMBER 10:**

The Debtor had prep-petition accounts at Philadelphia Federal Credit Union, Checking #6927. The Debtor's accounts were levied prepetition.

The Debtor has requested closure of the accounts from the Credit Union but the Credit Union has refused to do so, stating that "due to a pending writ placed on this account, we cannot close the account at this time".

See attached Letter from Credit Union

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CHOATES GENERAL CONTRACTING 73 WEST ROAD GIBBSBORO NJ 08026

To Whom It May Concern,

Re: Account Closure Request 0000906927 CHOATES GENERAL

As per your request, unfortunately, due to a pending writ placed on this account, we cannot close the account at this time.

If you have any questions or need additional information, please feel free to contact PFCU at 215-934-3500.

Robert Pacchianelli Branch Manager

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Choates G. Contracting Cash Flow Projections 1 Year After Filing

Dec-21 Jan-22 Feb-22 Mar-22	\$ 375,000.00 \$ 378,750.00 \$ 305,729.00 \$ 125,130,00 \$ 121,347.00 \$ 175,385.00 \$ 987,164,00 \$ 938,705.00 \$ 465,695.00 \$ 2,100.00 \$ 2,100.00 \$ 2,100.00 \$ 3,000.00 \$ 3,	\$ 315,958.00 \$ 261,885.00 \$ 235,164.00 \$ 99,873.00 \$ 142,404.00 \$ 756,727.00 \$ 753,669.00 \$ 347,203.00 \$ 100.00	\$ 23.387.00 \$ 64.215.00 \$ 56.840.00 \$ 43.800.00 \$ 43.800.00 \$ 40.000.00 \$ 5.000.00 \$ 5.000.00 \$ 5.000.00 \$ 5.000.00 \$
Nov-21	\$ 121,347,00 \$ 175,385.00 \$ 2,100,00 \$ \$ 3,000,00 \$ 3,000,00 \$ \$ 291,000,00 \$ 126,447,00 \$ 469,385.00	\$ 99,873.00 \$ 142,404.00 \$ 100.00 \$ 100.00 \$ 30.00 \$ 30.00 \$ 4,922.00 \$ 4,251.00 \$ . \$ 25,000.00 \$ 174,785.00	23 627 00 6 20 6
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#### Bank

America's Most Convenient Bank®

T

CHOATES G CONTRACTING LLC DIP CASE 21-13085 DIST NJ 122 DANTON LANE MULLICA HILL NJ 08062

Page:

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Statement Period:

Oct 01 2021-Oct 31 2021

Cust Ref#:

1510-039-T-###

Primary Account #:

1510

**Chapter 11 Checking** 

CHOATES G CONTRACTING LLC DIP CASE 21-13085 DIST NJ

Account#

1510

Beginning Balance	332.66	Average Collected Balance	148.59			
Electronic Deposits	400.00	Interest Earned This Period Interest Paid Year-to-Date	0.00			
Electronic Payments	700.33	Annual Percentage Yield Earned	0.00%			
Ending Balance	32.33	Days in Period	31			

	Total for this Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$140.00
Total Returned Item Fees (NSF)	\$0.00	\$0.00

Electronic	Deposits		
10/08	eTransfer Credit, Online Xfer Transfer from CK 4379387321		200.00
10/15	eTransfer Credit, Online Xfer Transfer from CK 4373053770		100.00
10/22	eTransfer Credit, Online Xfer Transfer from CK 4379387321		100.00
		Subtotal:	400.00
Electronic	Payments		***************************************
10/01	CCD DEBIT, ADP PAYROLL FEES ADP - FEES 2RJ2X	0400070	50.00
10/05	eTransfer Debit, Online Xfer Transfer to CK 4379387321	0490070	52.00 90.00
10/07	eTransfer Debit, Online Xfer Transfer to CK 4373053770		98.00
10/12	eTransfer Debit, Online Xfer Transfer to CK 4386895557		90.00
10/12	DEBIT CARD PAYMENT, AUT 100921 VISA DDA PUR SQUARESPACE INC HTTPSSQUARESP * NY 4085404027087836		62.00
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		5-1		
Begin by adjusting your account register as follows:	Your ending balance shown on this statement is:	Endina		32,33
Subtract any services charges shown on this statement.	List below the amount of deposits or	Balance		02,00
Subtract any automatic payments, transfers or other electronic with-drawals not previously recorded.	credit transfers which do not appear on this statement. Total the deposits and enter on Line 2.	Total Deposits	*	
Add any interest earned if you have an interest-bearing account.	Subtotal by adding lines 1 and 2.			
Add any automatic deposit or overdraft line of credit.	List below the total amount of withdrawals that do not appear on this statement. Total the withdrawals	Sub Total		
Review all withdrawals shown on this statement and check them off in your account register.	and enter on Line 4.	Total Withdrawals	-	
Follow instructions 2-5 to verify your ending account balance.	Subtract Line 4 from 3. This adjusted balance should equal your account balance.			
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**Total Deposits** 

If you need information about an electronic fund transfer or if you believe there is an error on your bank statement or receipt relating to an electronic fund transfer, telephone the bank immediately at the phone number listed on the front of your statement or write to:

#### TD Bank, N.A., Deposit Operations Dept, P.O. Box 1377, Lewiston, Maine 04243-1377

We must hear from you no later than sixty (60) calendar days after we sent you the first statement upon which the error or problem first appeared. When contacting the Bank, please explain as clearly as you can why you believe there is an error or why more information is needed. Please include:

- Your name and account number.
- A description of the error or transaction you are unsure about.
- The dollar amount and date of the suspected error.

When making a verbal inquiry, the Bank may ask that you send us your complaint in writing within ten (10) business days after the first telephone call.

We will investigate your complaint and will correct any error promptly. If we take more than ten (10) business days to do this, we will credit your account for the amount you think is in error, so that you have the use of the money during the time it takes to complete our investigation.

Total interest credited by the Bank to you this year will be reported by the Bank to the Internal Revenue Service and State tax authorities. The amount to be reported will be reported separately to you by the Bank.

Withdrawals

In case of Errors or Questions About Your Bill:

If you think your bill is wrong, or if you need more information about a transaction on your bill, write us at P.O. Box 1377, Lewiston, Maine 04243-1377 as soon as possible. We must hear from you no later than sixty (60) days after we sent you the FIRST bill on which the error or problem appeared. You can telephone us, but doing so will not preserve your rights. In your letter, give us the following information:

Total

Page.

Balance

2 of 3

- Your name and account number.
- The dollar amount of the suspected error.

  Describe the error and explain, if you can, why you believe there is an error. If you need more information, describe the item you are unsure about

You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your bill that are not in question. While we investigate your question, we cannot report you as delinquent or take any action to collect the amount you question.

FINANCE CHARGES: Although the Bank uses the Daily Balance method to calculate the finance charge on your Moneyline/Overdraft Protection account (the term "ODP" or "OD" refers to Overdraft Protection), the Bank discloses the Average Daily Balance on the periodic statement as an easier method for you to calculate the finance charge. The finance charge begins to accrue on the date advances and other debits are posted to your account and will continue until the balance has been paid in full. To compute the finance charge, multiply the Average Daily Balance times the Days in Period times the Daily Periodic Rate (as listed in the Account Summary section on the front of the statement). The Average Daily Balance is calculated by adding the balance for each day of the billing cycle, then dividing the total balance by the number of Days in the Billing Cycle. The daily balance is the balance for the day after advances have been added and payments or credits have been subtracted plus or minus any other adjustments that might have occurred that day. There is no grace period during which no finance charge accrues. Finance charge adjustments are included in your total finance charge.

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### Bank

America's Most Convenient Bank®

CHOATES G CONTRACTING LLC DIP CASE 21-13085 DIST NJ

Page: Statement Period:

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Cust Ref#:

Oct 01 2021-Oct 31 2021

Primary Account #:

510-039-T-###

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Electronic	Payments (continued)			
10/19	eTransfer Debit, Online Xfer Transfer to CK 4386895557			30.00
10/19	DEBIT CARD PAYMENT, AUT 101721 VISA DDA PUR ADOBE ACROPRO SUBS 800 443 8158 * CA 4085404027087836			
10/21	eTransfer Debit, Online Xfer Transfer to CK 4373053770			20.00
10/25	eTransfer Debit, Online Xfer Transfer to CK 4379387321			95.00
10/25	DEBIT POS, AUT 102521 DDA PURCH 0440 PEPBOYS PHILADELPHIA 4085404027087836			13.90
			Subtotal:	700.33
09/30	332.66	10/15		189.35
10/01	280.66	10/19		61.23
10/05	190.66	10/21		41.23
10/07	92.66	10/22		141.23
10/08	292.66	10/25		32.33
10/12	89.35			